

[By Jenna Pizzi](#)

Members of Vermont's congressional delegation were pleased with the U.S. Supreme Court's unanimous ruling on Monday that law enforcement officials must get a warrant before using GPS technology to track suspects.

"The principle of privacy endures," said Rep. Peter Welch in an interview on Monday afternoon. "It reaffirms that you don't lose Fourth Amendment rights to modern technology."

Sen. Patrick Leahy, who serves as the Democratic chairman of the Senate Judiciary Committee, called the ruling a victory for privacy rights in the digital age.

He said the ruling highlighted many new privacy threats posed by new technologies. Leahy has introduced legislation to update the Electronic Communications Privacy Act, a 1986 law that specifies standards for government monitoring of cellphone conversations and Internet communications.

A Global Positioning System (GPS) device installed on a Jeep driven by Washington, D.C., nightclub owner Antoine Jones, who was under suspicion of trafficking narcotics, in 2005 helped the Federal Bureau of Investigation (FBI) and Metropolitan Police Department link him to a stash of money and drugs. Jones was sentenced to life in prison. That conviction was overturned by an appeals court.

Associate Justice Antonin Scalia, who wrote the main opinion in the case, said that the use of the GPS tracking device constitutes a search or seizure and falls within the parameters of the Fourth Amendment. That amendment protects people from unreasonable searches and seizures.

"We hold that the government's installation of a GPS device on a target's vehicle, and its use of that device to monitor the vehicle's movements, constitutes a search," wrote Scalia in the

opinion.

No justice embraced the government's argument that the surveillance of Jones was acceptable because he had no expectation of privacy for the Jeep's location on public roads.

Scalia was joined by Chief Justice John Roberts and Justices Anthony Kennedy, Clarence Thomas and Sonia Sotomayor.

Sotomayor and Justice Samuel Alito wrote concurring opinions. In Alito's opinion he was joined by Justices Ruth Bader Ginsburg, Stephen Breyer and Elena Kagan.

In Alito's opinion, he raised concern that the court's ruling does not address the key issue of the expectations of privacy, especially in a digital age that is seeing a rapid consumer acceptance of cellphones and smartphones.

"Recent years have seen the emergence of many new devices that permit the monitoring of a person's movements," wrote Alito. "Perhaps the most significant, cell phones and other wireless devices now permit wireless carriers to track and record the location of users."

Alito continues, saying that these issues will need to be addressed in the future.

Last year, Leahy introduced legislation to update the Electronic Communications Privacy Act. He said the legislation will help the act remain viable in the digital age.

"Congress must now do its part to enact this legislation," said Leahy in a statement. "So that our federal privacy laws keep pace with technology and protect the interests of our nation's citizens, law enforcement community, and thriving technology sector."

Welch has also introduced similar bipartisan legislation in the House in June. The Geo-location, Privacy and Security Act aims to create guidelines about the use of electronically obtained location data.

"It does establish some significant guidelines," said Welch. "That make it easier to know where the lines are."

Welch said he hopes that the court's ruling will help to push the legislation through.